

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application of: HOFFBECK, Mark David

For: INBRED MAIZE LINE PH70R,

the specification of which is being transmitted herewith.

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

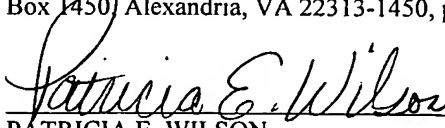
Attached are copies of PTO 1449A and PTO-892 listing the relevant art known to the applicant herein. The Examiner is requested to consider the references and make them of record. This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. 10/271,123, filed on October 15, 2002. Each of the references listed on Forms PTO 1449A and PTO-892 were submitted to, and/or cited by, the Patent Office in the prior application(s) and, therefore, are not required to be provided in this application.

Applicant discloses herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose. Legible copies of all items listed in Forms PTO 1449A and PTO-892 accompany this information statement, except those identified above.

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CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that this document and the documents referred to as enclosed therein are being deposited with the U.S. Postal Service in an envelope as "Express Mail Post Office to Addressee" addressed to: Box NEW APP - FEE, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, prior to 5:00 p.m. on the 24 day of February, 2004.

  
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The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. (Notice of January 9, 1992, 1135 O.G. 13-25, at 25.)

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Lila A. T. Akrad".

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**CUSTOMER NO: 27142**

- pw -

Attorneys of Record

<b>Notice of References Cited</b>	Application/Control No. 10/271,123	Applicant(s)/Patent Under Reexamination HOFFBECK, MARK DAVID	
	Examiner Ashwin Mehta	Art Unit 1638	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,259,004	07-2001	Chapman	800/320.1
	B	US-5,523,520	07-1996	Hunsperger et al.	800/323.1
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	Kraft et al., Theor. Appl. Genet., 2000, Vol. 101, pages 323-326
	V	Eshed et al., Genetics, 1996, Vol. 143, pages 1807-1817
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Form PTO-1449 U.S. Department of Commerce Patent and Trademark Office  <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>BY APPLICANT</b>  <i>(Use several sheets if necessary)</i>	ATTORNEY DOCKET NO.  1434	SERIAL NO.  10/271,123
	APPLICANT  Mark David Hoffbeck	
	FILING DATE  October 15, 2002	GROUP

**U.S. PATENT DOCUMENTS**

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	A1	6,025,547	2/15/2000	David Scott Stucker			3/10/1998
	A2	5,563,325	10/8/1996	Donald L. Morrow			1/31/1995
	A3	5,436,390	7/25/1995	Dean C. Oestreich			12/13/1993
	A4	5,347,081	9/13/1994	Philip R. Martin			1/19/1993

**FOREIGN PATENT DOCUMENTS**

		Document Number	Date	Country	Class	Subclass	Translation Yes	No

**U.S. PATENT APPLICATIONS**

Examiner Initials	Cite No.	U.S. Patent Application Serial Number	Filing Date of Cited Application MM-DD-YYYY	Name of Applicant of Cited Application
	A5	09/490,237	1/24/00	Russell L. Fox (DO NOT PUBLISH)

**OTHER DOCUMENTS** (Including Author, Title, Date Pertinent Pages, Etc.)

	A6	Plant Variety Protection Certificate No. 9000247 for Corn, PHK56, issued 8/30/1991
	A7	Plant Variety Protection Certificate No. 9100097 for Corn, PHR03, issued 4/30/1992
	A8	Plant Variety Protection Certificate No. 200000242 for Corn, Field, issued 1/13/2002
	A9	Plant Variety Protection Certificate No 9500200 for Corn PHBE2, issued 8/13/1996
	A10	Plant Variety Protection Certificate No. 9800386 for Corn, Field PH1CA, issued 6/14/2001